

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Daniel L. Douglas,

Plaintiff,

v.

ORDER

Civil No. 10-4333 ADM/JJK

Mortgage Electronic Registration
Systems, Inc.,

Defendant.

On January 27, 2011, the undersigned United States District Judge heard oral argument on Defendant Mortgage Electronic Registration Systems' ("Defendant") Motion to Dismiss [Docket No. 5]. Plaintiff Daniel L. Douglas ("Plaintiff") failed to appear.

The primary basis for dismissal is Plaintiff's failure to state a claim pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. The lengthy Complaint fails to meet the standards of plausibility established by Ashcroft v. Iqbal, 129 S. Ct. 1937, 1949 (2009). In addition, many of the allegations in Plaintiff's Complaint sound in fraud, but these claims fail because they allege fraud without meeting the specificity requirement of Rule 9(b) of the Federal Rules of Civil Procedure.

Based upon all the files, records, and proceedings herein and for the reasons explained on the record at the conclusion of oral argument, **IT IS HEREBY ORDERED** that Defendant's Motion to Dismiss [Docket No. 5] is **GRANTED** and the matter is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

BY THE COURT:

s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT JUDGE

Dated: January 27, 2011.